| 1 2 3 4 5 | DAVID N. MAKOUS (State Bar # 08240 makous@lbbslaw.com DANIEL C. DECARLO (State Bar # 1603 decarlo@lbbslaw.com MINA I. HAMILTON (State Bar # 21391 hamilton@lbbslaw.com LEWIS BRISBOIS BISGAARD & SMIT 221 North Figueroa Street, Suite 1200 Los Angeles, California 90012-2601 Telephone: (213) 250-1800 | 307) 7) |
|--|--|--|
| 6 7 8 | Facsimile: (213) 250-7900 Attorneys for Plaintiffs TRAFFICSCHOOL.COM, INC. and DRIVERS ED DIRECT, LLC, California | |
| 9 | UNITED STATES DISTRICT COURT | |
| 10 | CENTRAL DISTRICT OF CALIFORNIA | |
| 111213141516171819 | TRAFFICSCHOOL.COM, INC., a California corporation; DRIVERS ED DIRECT, LLC, a California limited liability company, Plaintiffs, vs. EDRIVER, INC., ONLINE GURU, INC., FIND MY SPECIALIST, INC., and SERIOUSNET, INC., California corporations; RAVI K. LAHOTI, an individual; DOES 1 through 10, | Case No. CV 06-7561 PA (Cwx) The Honorable Percy Anderson DECLARATION OF CHRIS KRAMER IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT AGAINST DEFENDANTS FOR VIOLATION OF THE COURT'S INJUNCTION AND FOR SANCTIONS Date: January 26, 2009 Time: 1:30 p.m. Courtroom: 15 |
| 20 | Defendants. | Courtioom. 13 |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |

DECLARATION OF CHRIS KRAMER IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT

5

10

11 12

13

14

18

22

23

25 26

27

28

DECLARATION OF CHRIS KRAMER

I, Chris Kramer, declare as follows:

1. I have personal knowledge of the facts set forth herein, and if called as a witness to testify thereto, I could competently and truthfully do so.

SPLASH SCREEN NOT APPEARING ON MOBILE DEVICES

2. I own a Palm Treo 700 wx (Windows Mobile 5.0 OS) mobile device. Since September, 2008, I have accessed the DMV.ORG website on my Palm Treo on many occasions on various days, including days in September, October, November, and December, 2008. Each time that I have accessed the DMV.ORG website through my mobile device, the splash screen did not appear. Instead, I was able to immediately access and see the content of the DMV.ORG website itself.

В. SPLASH SCREEN DOES NOT APPEAR WHEN JAVA SCRIPT IS DISABLED

3. On or about December 9, 2008, I created a multimedia PDF that is viewable with the latest Adobe Acrobat Reader Version 9. I understand that this multimedia PDF will be filed with the Court as Exhibit A to my declaration. I created the PDF to illustrate graphically to the Court what occurs when a computer user has Java Script functionality disabled in their browser options. In order to illustrate this, I first show that the splash screen on DMV.ORG appears when a visitor has not disabled Java Script, and then show how it no longer appears when Java Script is disabled. The PDF presentation is a true and accurate depiction of what actually takes place on a computer screen when the steps indicated are employed by a computer user.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration was executed on December 30, 2008, at Los Angeles, California.

Chris Kramer